# (192 ) Departm

SERIES.

G.O. No. 1252

DATED 24th October 1922. 24 - 10 - 1922

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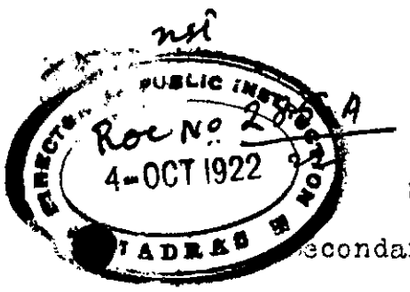
[Despatch Abstract.]

LAW (EDUCATION) **DEPARTMENT.**

*Received* _____ 192 . *Registered* _____ 192




*Subject*

Suits - Land Acquisition - Mangalore Government ----- Secondary and Training School for Mistresses - payment of - Court Costs with interest.

ENCLOSURES
No. _____
Spare copies _____

Ref. C. No. 47-20-E3.

*Station* Mangalore, *dated the* 1st October 1922. 19

*From* (*Name*) M. Mr. A. Ramacha Nedungadi, Avl., M.A., B.L.,

(*Designation*) Collector of South Kanara.

*To* The Secretary to the Government of Madras,

Law (Education) Department.

Through The Director of Public Instructions,

Madras.

Sir,

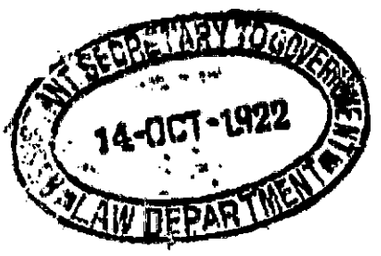
G.O.No. 1066, Law (Education), dated 12-9-1922.

Section 34 of the Land Acquisition Act, 1894, under which the payment, to the owner of the above site, of the court costs with interest thereon at 6% per annum, has been sanctioned by Government contemplates the payment of the amount of compensation with interest thereon when the amount of such compensation is not paid or deposited in Court on or before taking possession of the land. In the present case, the amount of compensation was, as a matter of fact, deposited in Court and received by the claimant before disposal of his appeal by the District Judge. The excess compensation

awarded by the District Judge on appeal has also been paid and the interest thereon claimed by the owner has been disallowed by me for want of direction for payment of the same either in the ---- District Judge's award or in the decree of the High Court (vide -- Section 28 of the Act). The question of the payment of interest on Court costs was also raised and the Government Pleader stated -- that under no circumstances, was the claimant entitled to interest. In the circumstances, I beg to know whether Government still hold that the interest on Court costs should be paid to the owner.

2. A certified copy of the High Court decree is herewith submitted for reference and favour of return.

Collector



N. K. C. No.285 A/22 Madras Dated 11th October 1922.

Submitted.

for Director of Public Instruction.

To

The Secretary to Government

Law(Education) Department,

Madras.

Secdt. II-10 (a)—48,962—2-2-22. (6)

Law (Edn) DEPARTMENT.

| | Date. | Initials. |
|---|---|---|
| When received for Fair-copying. | | |
| When copied .. | | |
| When examined .. | | |
| When signed .. | | |
| When despatched .. | | |

School, — Mangalore — training, for mistresses — Land acqn — Payment of interest on court costs not sanctioned.

READ AGAIN G.O. No....., dated..... 192 .

" " " ..... " ..... 192 .

*READ ALSO*—

C. No. 3212 From the....., No....., dated..... 192 .

" " ..... " " ..... " ..... " ..... 192

" " ..... " " ..... " ..... " ..... 192

ORDER.

No. 1262 dated 24/10/ 192 2

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In modification of para 1 of G.O. 1066, Law (Edn), dt. 12.9.22 the Govt. direct that interest on court costs need not be paid to the owner of the Site which was acquired for the Govt. Secondary and Training School for mistresses, Mangalore.

(S)

cov 16.10.22

To

The D.P.I. (with ref. to his cmo: 285-A/22 dt 11.10.22)

" Collr. of S. Kanara (with ref. to his letter 47-20-E3 dt 1.10.22) with incl. recd 20.10.22.

" A.G.

" Finance dept

" P.W.D.

25/10

25/10

23/10